

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Finkel Roth Group IV LLC v Libralter Plastics Inc**
Docket No. **260393**
L.C. No. **03-320019-CZ**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The claim of appeal from the January 6, 2005 order granting summary disposition in defendants' favor is DISMISSED for lack of jurisdiction seeing as a counterclaim was still pending when appellant claimed its appeal. MCR 2.604(A), 7.202(6)(a)(i), and 7.203(A)(1). If appellant still wants to immediately appeal this interlocutory order, it must file a delayed application for leave to appeal under MCR 7.205. See MCR 7.203(B)(1).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 10 2005

Date

Sandra Schultz Mengel
Chief Clerk